

**REMARKS/ARGUMENTS**

This response is respectfully submitted in response to the Office Action dated July 19, 2004.

**I. Introduction**

No claims have been amended with this response. Accordingly claims 1-6, 8, 10-14, and 20-22 are now pending.

In the Office Action the Examiner rejected claims 1-3, 10, and 20-22 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,729,599 to Plomondon et al. (hereinafter "the Plomondon et al. patent") in view of U.S. Patent No. 5,452,349 to Uehara et al. (hereinafter "the Uehara et al. patent"). The Examiner rejected claims 4-6, 8, and 11-14 under 35 U.S.C. 103(a) as being unpatentable over the Plomondon et al. patent in view of the Uehara et al. patent, and further in view of U.S. Patent No. 6,125,126 to Hallenstal (hereinafter "the Hallenstal patent").

As will be discussed below, it would be inappropriate to combine the Plomondon et al. patent and the Uehara et al. patent; and even if they were combined, they would not render obvious any of the pending claims. The Hallenstal patent was only used by the Examiner with regard to selected dependent claims. Because the independent claims from which they depend are patentable, as discussed below, the dependent claims are also thereby patentable over the Hallenstal patent since this reference does not make up for the deficiencies noted with regard to the independent claims.

**II. The Present Invention**

For a general understanding of the claimed subject matter Applicants suggest the Examiner review the application generally but in particular Fig. 10 and the corresponding description.

The present invention uses an AIN system which differs significantly from ISDN call forwarding systems and various other known systems. The system of the invention uses a peripheral device coupled by way of a telephone switch to a service control point. The peripheral device may be called to make changes in a customer's call forwarding service. Such changes may involve accessing and/or updating call processing information stored in the service control point corresponding to the particular subscriber seeking to modify his or her service. The service control point is responsible for making changes to triggers set at telephone switches which are used to implement the AIN based call forwarding services.

In accordance with one feature of the present invention, customers are provided an easy way to enable/disable call forwarding service from the subscriber's phone, i.e., **the phone for which call forwarding service is provided, or from another phone.** In accordance with this feature, a subscriber calls a peripheral device used to control call forwarding service from his/her phone. **The subscriber's phone number is identified using automatic number identification (ANI) techniques and the subscriber's call processing records (CPR) stored in the service control point that is coupled to the peripheral by a telephone switch is accessed.** If call forwarding is enabled on the subscriber's phone, the subscriber can disable call forwarding by simply pressing a first code, e.g. \*73. This causes the subscriber's CPR, and/or TAT trigger set on the subscriber's line, to be modified so that call forwarding will be disabled.

If call forwarding is disabled on the subscriber's phone, but was previously used, the subscriber can enable call forwarding **to the last number to which calls were forwarded** by simply pressing \*72. This causes the subscriber's CPR, and/or TAT trigger on the subscriber's line, to be modified so that call forwarding will be enabled. This feature is made possible by the fact that the CPR, unlike a telephone switch, stores the previously used call forwarding number even after call forwarding is deactivated.

If a service subscriber is calling from a phone other than the one for which call forwarding service is provided, as determined **through the use of ANI** as described above, a telephone number can be entered and the call forwarding service information corresponding to the entered telephone number can be modified in accordance with the invention.

**III. The Plomondon et al. and Uehara et al. patents  
Do Not Anticipate or Render Obvious the Pending Claims**

The Plomondon et al. patent is the primary reference cited by the Examiner to reject the pending claims. Unlike the present invention which uses a stored number for call forwarding thereby avoiding the need for a user to enter the forwarding number, the Plomondon et al. patent **verifies a user's proposed forwarding destination number which is entered by the user** before implementing it, to ensure that it is an appropriate number to forward calls to (see Fig. 2). This is accomplished by comparing a user-supplied forwarding number to a list of (four) numbers previously approved for that user (see for example col. 9 lines 41-52) or to a universal list (see for example col. 9 lines 60-62). If the proposed number is not blocked based on the outcome of these comparisons, the **user supplied number is used for call forwarding purposes** (see step 56 in Fig. 2). This is in stark contrast to Applicants' use of a **stored number** for call forwarding purposes, **activated** by a subscriber's phone call.

The Examiner incorrectly states in Section 3, page 2, of the Office Action that the Plomondon et al. patent detects "receipt of a first control signal from a first telephone," as is specified in claim 1 of the present invention. The only inputs from the telephone 20 of the Plomondon et al. patent are listed in Fig. 2, and are the subscriber's telephone number, a PIN number, and a proposed forwarding destination number. There are no **control signals** received from telephone 20. Examiner's citation for his contention is col. 5 lines 51-54 which states:

"SSP 22 is generally a node (usually the subscriber's local switch/central office switch) that recognizes the 'triggers' used when a

subscriber or user invokes an AIN service such as remote access forwarding."

The "triggers" cited are not "control signals from a first telephone."

Examiner has already acknowledged that the "first telephone" is telephone 20 of Fig.

1. The "triggers" referred to in the citation refer to communications between the SSP and the SCP, in order to control call processing. They do not involve "control signals" from any telephone, let alone telephone 20.

The Examiner goes on to state that "the call processing record being associated with the first telephone number." This is another misinterpretation of the Plomondon et al. patent. The call processing record of the Plomondon et al. patent relates to the dialed number (the "directory number" of the subscriber), not the telephone number of telephone 20 (see col. 8, lines 30-34), from which the call was placed. This is made clear in step 40 of Fig. 2, which requests the caller to "please enter area code and telephone number."

The Examiner makes another incorrect interpretation of the Plomondon et al. patent when he states that "if it is determined that a previously stored telephone number is available, (col. 5, lines 50-57) updating the call processing record; enabling the forwarding of calls directed to the first telephone to a second telephone using said previously stored call forwarding telephone number (col. 9, lines 55-58)." This latter reference states:

"The system allows calls incoming to the subscriber's telephone number to be forwarded to the **routing destination number** which has been **validated** by searching the subscriber profile, when the routing destination number matches a valid destination number found in the subscriber profile as shown in step 56."

This is in sharp contrast to Applicants' claim 1 limitation of "enabling the forwarding of calls directed to the first telephone to a second telephone using said previously stored call forwarding telephone number."

The Plomondon et al. patent **does** check previously stored telephone numbers (typically four of them) in the subscriber's record, but uses such numbers to compare

to the forwarding number inputted by the subscriber. See for example col. 9, lines 24-25:

“the user is prompted to enter a desired routing destination number as shown in step 48 of Fig. 2.”

See also col. 9, lines 34-39:

“If the threshold has not been exceeded, then the received routing destination number is checked against the individual subscriber profile contained in SCP 32 as shown in step 54. The subscriber profile includes, among other data, the last four common routing destination numbers entered by, and unique to, the subscriber.”

The Examiner goes on to state: “However, Plomondon et al. do not explicitly suggest the control signal used to activate call forwarding service; and determining using automatic number identification information a first telephone number corresponding to the first telephone.” (Office Action page 3) Applicants agree with Examiner that these elements of Applicants’ claims are also missing from the Plomondon et al. patent.

The Examiner then refers to the Uehara et al. patent to teach activating/deactivating call forwarding. However, the Uehara et al. patent discloses activating and deactivating call forwarding in an ISDN environment that is connected to the Public Telephone Network. There is no teaching or disclosure in the Uehara et al. patent for “operating a peripheral device to receive a call from a caller,” “determining using automatic number identification information a first telephone number,” “determining from the first telephone number and stored information if the first telephone corresponds to a telephone for which call forwarding service is supported,” or taking any steps in response to such determinations. Accordingly, the proposed combination still fails to anticipate or render obvious the pending claims.

Neither the Plomondon et al. patent nor the Uehara et al. patent teach, disclose, or suggest using “automatic number identification information” to determine if “the first telephone corresponds to a telephone for which call forwarding service is supported” (claim 1). The Examiner acknowledges as much when he suggests that it would be “obvious to one of ordinary skill in the art at the time of the invention was made that ..... using automatic number identification

information on a first telephone number to determine if the first telephone corresponds to a telephone for which call forwarding service is supported." This contention is not supported by any references or an affidavit setting forth the basis for this position, and there are no supporting implementation details provided by the Examiner as to how such an "obvious" approach would be implemented by utilizing some combination of AIN, ANI, SCP's, SSP's, and their associated triggers. Therefore, Applicants strenuously object that such a modification to the Plomondon et al. patent would be "obvious."

In view of the above deficiencies in the Examiner proposed combination applied to the independent claims, and the failure of the other references applied to various dependent claims to make up for these deficiencies, it is respectfully submitted that the rejection of the pending claims should be withdrawn.

#### IV. All of The Pending Claims Are Patentable

The following claims include bold highlights of limitations of Applicants' claims which are not disclosed, taught, or suggested in any of the cited references, or any combination of them. It should be noted, as discussed above, that there are additional differences between the primary reference (the Plomondon et al. patent) and the below claims.

##### 1. Claim 1 and claims 2-6 and 8 Are Patentable

Claim 1 is patentable because it recites:

A method of controlling a call forwarding service comprising:  
operating a peripheral device coupled to a telephone  
switch to receive a call from a caller using a first telephone;  
**determining using automatic number identification**  
**information a first telephone number corresponding to the first**  
**telephone;**  
detecting receipt of a first signal from the first  
telephone;

determining from the first telephone number and stored information if the first telephone corresponds to a telephone for which call forwarding service is supported;  
 if said first signal is a control signal used to activate call forwarding and it is determined that call forwarding service is supported for the first telephone, determining if a previously stored call forwarding telephone number is available in a call processing record stored in a service control point coupled to said peripheral device by said telephone switch, said call processing record being associated with said first telephone number; and  
 if it is determined that a previously stored telephone number is available, i) updating said call processing record associated with said first telephone to indicate that call forwarding is active; and  
 ii) enabling the forwarding of calls directed to the first telephone to a second telephone using said previously stored call forwarding telephone number.

Claims 2-6 and 8 depend from claim 1 and are patentable for the same reasons claim 1 is patentable.

**2. Claim 10 and claims 11-14 Are Patentable**

Claim 10 is patentable because it recites:

A method of controlling a call forwarding service comprising:  
 operating a peripheral device coupled to a telephone switch to receive a call from a caller using a first telephone;  
 detecting receipt of a first signal from the first telephone;  
 determining using automatic number identification information a first telephone number corresponding to the first telephone;  
 accessing, using the first telephone number, service information maintained in a service control point coupled to said peripheral device by said telephone switch;  
 determining from the accessed information if the first telephone corresponds to a telephone for which call forwarding service is being provided; and  
 if it is determined that call forwarding service is provided for the first telephone, disabling call forwarding service in response to the first signal when said first signal is a control signal used to disable call forwarding.

Claims 11-14 depend from claim 10 and are patentable for the same reasons claim 10 is patentable.

**3. Claim 20 Is Patentable**

Claim 20 is patentable because it recites:

A communication system, comprising:

- a telephone;
- a telephone switch coupled to said telephone;
- a peripheral device coupled to said telephone switch;
- a service control point coupled to said telephone switch

and to said peripheral device by way of said telephone switch;

said peripheral device including means for receiving a first telephone call routed to said peripheral device by said telephone switch and for receiving from the telephone a first control signal;

said peripheral device further including means for communicating telephone number and control signal information to said service control point by way of said telephone switch;

said service control point including:

- i) means for accessing a call processing record corresponding to the first telephone as a function of information communicated from said peripheral device;
- ii) means for determining if the accessed call processing record includes a telephone number to be used when forwarding calls directed to said telephone; and

- iii) means for activating a call forwarding service, said call forwarding service forwarding calls directed to said first telephone as a function of said telephone number when it is determined that the accessed call processing record includes said telephone number and said control signal is a call forwarding activation signal.

**4. Claim 21 and claim 22 Are Patentable**

Claim 21 is patentable because it recites:

A call forwarding control method, the method comprising:

- operating a peripheral device coupled to a telephone switch to receive a call from a first telephone;
- operating the peripheral device to receive a signal from the first telephone;

determining if the signal is a call forwarding control signal;

and

if the received signal is determined to be a call forwarding control signal,

- i) using automatic number identification information to access a call processing record corresponding to said first telephone, said call processing record being stored in a service



control point coupled to said peripheral device by said telephone switch; and

ii) modifying the content of said call processing record in accordance with the received call forwarding control signal; and

if the received signal is determined not to be a call forwarding control signal, determining if the received signal is a telephone number of a subscriber for which a service is provided using said service control point.

Claim 22 depends from claim 21 and is patentable for the same reasons claim 21 is patentable.

V. Request for Clarification

Applicants respectfully disagree with the Examiner's contention that the step of: "determining using automatic number identification information a first telephone number corresponding to the first telephone" would be obvious in the claim method as recited in claim 1. The Examiner has failed to cite a reference in support of the Examiner's position. Neither the Plomondon et al. nor the Uehara et al. patents teach or suggest this feature. If the Examiner persists in the rejection of claim 1 it is requested that the Examiner either 1) cite a reference in support of the Examiner's obviousness rejection or 2) submit an affidavit setting forth the personal knowledge upon which the Examiner's position is based. Applicants need such information so that they can have a full and fair opportunity to respond to any repeated rejection of claim 1.

VI. Conclusion

In view of the foregoing remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, Applicants request that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance the Examiner is invited to contact Applicants' undersigned representative by phone to discuss and hopefully resolve said issues. To

the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made, the fee for which should be charged to Patent Office deposit account number 07-2347.

Respectfully submitted,

September 14, 2004

  
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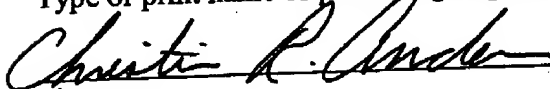
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